EXHIBIT A-3

Dockets.Justia.

STEVE WEINBERG
6514 RIVERVIEW LANE
DALLAS, TX 75248

September 28, 2004

Mr. Tom DePaso
NFLPA Legal Department

RE: NFL PLAYER GRIEVANCES V. HOWARD SILBER

Via Fax (202) 857-0673

Dear Tom,

I am presently attempting to reach a final settlement with NFLPA Contract Advisor Howard Silber. As part of that settlement, Mr. Silber has asked that certain NFL player grievances against him be dismissed, so I wrote to NFLPA Arbitrator Roger Kaplan to ask him to identify which grievances were still outstanding against Mr. Silber. In response, Mr. Kaplan sent me an e-mail that said that "the only Section 5 cases" he has "docketed against Silber are Kinney (NFLPA 02-102) and McDermott (NFLPA 02-108)." Obviously, when he refers to his docket sheet, Arbitrator Kaplan has omitted the Stephen Davis case (NFLPA 02-29) since that grievance was actually scheduled for a hearing by Arbitrator Kaplan for next week in Charlotte.

My records from that year show that as a result of Mr. Silber's improper attempts to assign, attach or garnish certain monies in violation of NFLPA Regulations, 13 different NFL players each filed Section 5 NFLPA Grievances against Howard Silber in 2002. I was quite surprised to learn then that Mr. Kaplan had not docketed ten of these thirteen grievances. My records show that the following NFLPA Section 5 Grievance cases were all filed against NFLPA Contract Advisor Howard Silber in 2002:

1. Stephen Davis v. Howard Silber; Grievance dated April 5, 2002; NFLPA 02-29.
2. Erron Kinney v. Howard Silber; Grievance dated September 14, 2002; NFLPA 02-102.
3. Sean McDermott v. Howard Silber; Grievance dated September 24, 2002; NFLPA 02-108.
4. Todd Sauerbrun v. Howard Silber, Grievance dated October 12, 2002.
5. Karl Hankton v. Howard Silber; Grievance dated October 12, 2002.
6. Doug Evans v. Howard Silber; Grievance dated October 26, 2002.
7. Jeff Feagles v. Howard Silber; Grievance dated October 26, 2002.
8. J.P. Darche v. Howard Silber; Grievance dated October 26, 2002.
9. Robert Thomas v. Howard Silber; Grievance dated November 22, 2002.
10. David Terrell v. Howard Silber; Grievance dated November 22, 2002.
11. Lional Dalton v. Howard Silber; Grievance dated December 16, 2002.
12. Mike Anderson v. Howard Silber; Grievance dated December 24, 2002.
13. Keith Washington v. Howard Silber; Grievance dated December 24, 2002.

My records also show that you may have accepted, logged in, or responded to the following two grievance cases against Mr. Silber, in error:

14. Jeno James v. Howard Silber; I am unaware that Mr. James ever filed a grievance v. Mr. Silber.
15. Keith Traylor v. Howard Silber; I am unaware that Mr. Traylor ever filed a grievance v. Mr. Silber.

All the records that I have seen suggest that the NFLPA never sent ten of these grievances to Mr. Kaplan. The NFLPA acknowledged receiving every one of these grievances. I have a "date-stamped" copy of each of these grievances (except the one from Mr. Kinney). I also have copies of all the original NFLPA letters confirming initial receipt of the grievance by the NFLPA (except the ones for Messrs. Evans, Feagles and Darche). I do not, however, have a copy of the second letter for the vast majority of these cases, which is typically sent by the NFLPA to all the parties, including Arbitrator Kaplan, 30 days after the NFLPA initially receives the Grievance. In fact, I have only found these 2nd letters for the Kinney and McDermott cases, but not for any others. I also have copies of the letters sent by Arbitrator Kaplan asking the parties in both Kinney and McDermott to call him to "schedule these grievances".

In order to help fill in the "missing information" here, as well as to complete my files for these cases, I would appreciate your sending to me (via overnight delivery) copies of all the letters that you have in your files for these particular cases. This would include the date-stamped grievances (especially Kinney), as well as the two "standard" NFLPA letters, which your office would have generated to both the players and Mr. Silber after receiving each of the above referenced grievances. Please also provide me with copies of all the letters you have received in these cases from Arbitrator Kaplan regarding the scheduling of these grievances.

I would also appreciate an explanation from you as to why it appears that in these ten cases (other than in Davis, Kinney and McDermott), the "standard" 2nd NFLPA letter, the one referring these matters to Arbitrator Kaplan, would not have been sent by the NFLPA to Arbitrator Kaplan so that he could docket these cases, as well as not forwarded to these ten players.

I look forward to receiving this information, and your response, right away. Thank you very much.

Sincerely,

Steve Weinberg

cc: Mr. Alan Strasser, Esquire

STEVE WEINBERG
6514 RIVERVIEW LANE
DALLAS, TX 75248

October 1, 2004

Mr. Tom DePaso
NFLPA Legal Department

RE: NFL PLAYER GRIEVANCES V. HOWARD SILBER

Via Fax (202) 857-0673

Dear Tom,

I just received the enclosed two letters from NFLPA Arbitrator Roger Kaplan. I note that you were sent a copy of these letters as well. As I wrote you earlier this week, I am presently attempting to reach a final settlement with NFLPA Contract Advisor Howard Silber. As part of that settlement, Mr. Silber has asked that a number of NFL player grievances, which were filed against him in the fall of 2002, be dismissed.

Arbitrator Kaplan has stated to me that "the only Section 5 cases" he has "docketed against Silber are Erron Kinney (NFLPA 02-102) and Sean McDermott (NFLPA 02-108)." As a result, these are the only two players who have received, and will be receiving, these letters from Arbitrator Kaplan. This has me confused because I know for a fact that there were ten additional cases filed against Mr. Silber in the fall of 2002, but apparently none of these other grievances ever made it all the way to Arbitrator Kaplan. As a result, these ten cases are now apparently left in "limbo" somehow. I do not understand how this is possible or where these other ten previously filed grievances now stand. This outcome also leaves the other ten NFL players, who all thought they had cases pending against Mr. Silber, in a state of confusion.

I remain very confused by all of this and would appreciate your help in clarifying this situation for me. Once again, I have the following two requests for you:

1. In order to expedite my settlement with Mr. Silber, I would appreciate your sending to me (via overnight delivery) copies of all the letters that you have in your files for all thirteen of the cases listed in my September 28, 2004 letter to you. This would include the date-stamped grievances (especially Kinney), as well as the two "standard" NFLPA letters, which your office would have generated to both the players and Mr. Silber after receiving each of the previously referenced player grievances. Obviously, your first letter would have been addressed to the two parties (the NFL player and Mr. Silber), and your second letter would have been addressed directly to Arbitrator Kaplan. Please also provide me with copies of all the letters you have received in these cases from Arbitrator Kaplan regarding the scheduling of these grievance hearings.

2. I would also appreciate an explanation from you as to why it appears in these ten cases (other than in Davis, Kinney and McDermott), that the "standard" NFLPA second letter, the one which typically refers these matters to Arbitrator Kaplan, would not have been sent by the NFLPA to Arbitrator Kaplan so he could docket these cases, as well as not forwarded to these ten players.

I look forward to receiving your response, and this information from you, right away. Thank you.

Sincerely,

Steve Weinberg

Enclosures

cc: Mr. Alan Strasser, Esquire

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

September 27, 2004

Mr. Erron Kinney
c/o Tennessee Titans
460 Great Circle Road
Nashville, Tennessee 37228

Re: Kinney v. Silber,
Case No. NFLPA 02-102;

Dear Mr. Kinney:

I have not received a response to my letter dated October 24, 2002. This case has been pending for approximately two (2) years. Please be advised that unless I hear from you by October 12, 2004, I will dismiss this case.

If you have any questions, please call me.

Sincerely,

Roger P. Kaplan

RPK/cd

cc: Howard Silber
Tom DePaso, NFLPA
bcc: Steve Weinberg

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

September 27, 2004

Mr. Sean McDermott
2787 Kensington Circle
Weston, Florida 33332

Re: McDermott v. Silber,
Case No. NFLPA 02-108;

Dear Mr. McDermott:

I have not received a response to my letter dated November 26, 2002. This case has been pending for approximately two (2) years. Please be advised that unless I hear from you by October 12, 2004, I will dismiss this case.

If you have any questions, please call me.

Sincerely,

Roger P. Kaplan

RPK/cd

cc: Howard Silber
Tom DePaso, NFLPA
bcc: Steve Weinberg

STEVE WEINBERG
6514 RIVERVIEW LANE
DALLAS, TX 75248

October 12, 2004

Mr. Tom DePaso
NFLPA Legal Department
2021 L Street, NW
Washington, DC 20036

RE: NFL PLAYER GRIEVANCES V. HOWARD SILBER

Via Fax and Certified Mail, Return Receipt Requested

Dear Tom,

Enclosed are copies of the previous two letters I sent to your office via fax on September 28 and October 1, 2004. Since over ten days have now passed since I sent my last letter to you, and still I have neither heard nor received anything from you in return, I am now sending this third request to you for this same information via both Certified Mail, Return Receipt Requested, and by fax. I do hope you will respond to me this time, Tom, and send me the requested information. As I have told you before, I am currently in the middle of finalizing a settlement with NFLPA Contract Advisor Howard Silber, and that potential settlement is now being held up, and in jeopardy of not occurring, as a result of your failure to timely provide this information to me.

I truly do not understand how thirteen NFL players could have filed grievances with the NFLPA in 2002 regarding Mr. Silber's numerous violations of the NFLPA Regulations, yet Roger Kaplan, the NFLPA Arbitrator in these matters, tells me that he has only "docketed" three of these cases, including the one filed by Stephen Davis. I once again ask for your help in providing me with the information and materials requested in the enclosed two letters.

Thank you.

Sincerely,

Steve Weinberg

Enclosures

cc: Mr. Alan Strasser, Esquire

NFL Players Association
2021 L Street, NW
Suite 600
Washington, DC 20036
202.463.2200
Fax 202.857.0380

October 13, 2004

**VIA FACSIMILE and
FIRST CLASS MAIL**

Steve Weinberg
6514 Riverview Lane
Dallas, TX 75248

Re: Section 5 Grievances

Dear Mr. Weinberg:

This is in response to your letter dated October 12, 2004; October 1, 2004 and September 28, 2004. We have reviewed the files relating to player grievances you referenced in those letters. It is my understanding that the players filed those grievances individually and that you were not the attorney of record for those players. Accordingly, your request for that documentation is denied.

However, for your information we have sent letters to those player-grievants demanding that they take some action in the next several weeks or their grievances will be considered withdrawn by the NFLPA.

Sincerely,

Tom DePaso /p.s.

Tom DePaso
Staff Counsel

TJD:ps

STEVE WEINBERG
6514 RIVERVIEW LANE
DALLAS, TX 75248

October 20, 2004

Mr. Tom DePaso
NFLPA Legal Dept.
2021 L Street, NW
Washington, DC 20036

Via Fax (202) 857-0673 and Prepaid Certified Mail

RE: SECTION 5 PLAYER GRIEVANCES V. HOWARD SILBER

Dear Tom,

I just received your letter dated October 13, 2004. In this letter, you stated that the NFLPA has recently sent letters to each player – grievant who filed a claim against Mr. Silber, but yet you did not indicate to whom these letters have been sent. Although you have denied my previous request for certain other relevant information, I would hope that this time you could certainly provide me, at a minimum, with the full list of names of all those players who have been sent this letter by the NFLPA. Also, while I do not quite understand the distinction you have made by also stating "I was not the attorney of record for those players", you are certainly aware that at the time these player grievances were filed against Mr. Silber in the fall of 2002, I was the agent and NFLPA Contract Advisor for each and every one of the players named in my letter dated September 28, 2004.

As you are also aware, the NFLPA Arbitrator, Roger Kaplan, has provided me not only with a complete list of the players he wrote to recently (regarding similar dismissals), but Arbitrator Kaplan has also provided me with copies of the actual letters he sent to these players so I could then discuss them with my ex-clients (prior to their dismissal). As such, I would expect that you should have no problem in providing me at this time with similar information including copies of each and every demand letter sent to my former clients stating that these grievances would be "considered withdrawn by the NFLPA unless they take some action in the next several weeks."

Upon receipt of this letter, I respectfully request then that you please send this information to me right away, and certainly well in advance of the date by which any of these grievance cases would otherwise be "unilaterally" dismissed by the NFLPA. Thank you.

Sincerely,

Steve Weinberg

cc: Alan Strasser, Esquire

October 25, 2004

VIA FACSIMILE and FIRST CLASS MAIL

NFL Players Association
2021 L Street, NW
Suite 600
Washington, DC 20036
202.463.2200
Fax 202.857.0380

Steve Weinberg
6514 Riverview Lane
Dallas, TX 75248

Re: Documentation Request

Dear Mr. Weinberg:

This is in response to your letter dated October 20, 2004. The NFLPA disagrees with your assertion that you are entitled to any documents relating to various player grievances filed against Mr. Silber because you may have been the players' Contract Advisor at the time they were filed.

Accordingly, our position has not changed. You have no right to any such documentation.

Sincerely,

Tom DePaso

Tom DePaso
Staff Counsel

TJD:ps

EXHIBIT A-4

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

August 19, 2004

Steve Weinberg, Esq.
6514 Riverview Lane
Dallas, Texas 75248

Mr. Bobby Abrams
3414 Old Dobbin Road
Montgomery Alabama 36116

Re: Weinberg v. Abrams,
Case No. NFLPA 04-45;

Dear Gentlemen:

I received Mr. DePaso's letter dated June 28, 2004, designating me as the Arbitrator in the above-captioned case.

Pursuant to Section 5 of the NFLPA Regulations Governing Contract Advisors, I have the responsibility for setting a hearing date in this matter as soon as possible. Please call me at your earliest convenience with suggested dates for the hearing. As soon as I hear from you, this matter will be scheduled for hearing.

I look forward to hearing from you in the immediate future. If you have any questions, please do not hesitate to call me.

Sincerely,

Roger P. Kaplan

RPK/cd

cc: Tom DePaso, NFLPA

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

September 8, 2004

Steve Weinberg, Esq.
6514 Riverview Lane
Dallas, Texas 75248

Mr. Reggie Brown
20101 Bentler
Detroit, Michigan 48219

Re: Weinberg v. Brown,
Case No. NFLPA 04-53;

Dear Gentlemen:

I received Mr. DePaso's letter dated June 28, 2004 designating me as the Arbitrator in the above-captioned case.

Pursuant to Section 5 of the NFLPA Regulations Governing Contract Advisors, I have the responsibility for setting a hearing date in this matter as soon as possible. Please call me at your earliest convenience with suggested dates for the hearing. As soon as I hear from you, this matter will be scheduled for hearing.

I look forward to hearing from you in the immediate future. If you have any questions, please do not hesitate to call me.

Sincerely,

Roger P. Kaplan

Roger P. Kaplan

RPK/cd

cc: Tom DePaso, NFLPA

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

November 4, 2004

Steve Weinberg, Esq.
6514 Riverview Lane
Dallas, Texas 75248

Mr. Marcus Stiggers
9417 Pinewood Drive
Dallas, Texas 95243

Re: Weinberg v. Stiggers,
Case No. NFLPA 04-66;

Dear Gentlemen:

I received Mr. DePaso's letter designating me as the Arbitrator in the above-captioned case.

Pursuant to Section 5 of the NFLPA Regulations Governing Contract Advisors, I have the responsibility for setting a hearing date in this matter as soon as possible. Please call me at your earliest convenience with suggested dates for the hearing. As soon as I hear from you, this matter will be scheduled for hearing.

I look forward to hearing from you in the immediate future. If you have any questions, please do not hesitate to call me.

Sincerely,

Roger P. Kaplan

RPK/cd

cc: Tom DePaso, NFLPA

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

November 4, 2004

Steve Weinberg, Esq.
6514 Riverview Lane
Dallas, Texas 75248

Mr. Ashley Cooper
334 Oakland Circle
Ft. Walton, Florida 33548

Re: Weinberg v. Cooper,
Case No. NFLPA 04-65;

Dear Gentlemen:

I received Mr. DePaso's letter designating me as the Arbitrator in the above-captioned case.

Pursuant to Section 5 of the NFLPA Regulations Governing Contract Advisors, I have the responsibility for setting a hearing date in this matter as soon as possible. Please call me at your earliest convenience with suggested dates for the hearing. As soon as I hear from you, this matter will be scheduled for hearing.

I look forward to hearing from you in the immediate future. If you have any questions, please do not hesitate to call me.

Sincerely,

Roger P. Kaplan

Roger P. Kaplan

RPK/cd

cc: Tom DePaso, NFLPA

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

November 4, 2004

Steve Weinberg, Esq.
6514 Riverview Lane
Dallas, Texas 75248

Mr. Jason Witczak
498 Austin Lane
Fond du Lac, Wisconsin 54935

Re: Weinberg v. Witczak,
Case No. NFLPA 04-68;

Dear Gentlemen:

I received Mr. DePaso's letter designating me as the Arbitrator in the above-captioned case.

Pursuant to Section 5 of the NFLPA Regulations Governing Contract Advisors, I have the responsibility for setting a hearing date in this matter as soon as possible. Please call me at your earliest convenience with suggested dates for the hearing. As soon as I hear from you, this matter will be scheduled for hearing.

I look forward to hearing from you in the immediate future. If you have any questions, please do not hesitate to call me.

Sincerely,

Roger P. Kaplan

Roger P. Kaplan

RPK/cd

cc: Tom DePaso, NFLPA

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

November 8, 2004

Steve Weinberg, Esq.
6514 Riverview Lane
Dallas, Texas 75248

Mr. Kerry Hood
230 Aaron Street
Atlanta, Georgia 30314

Re: Weinberg v. Hood,
Case No. NFLPA 04-78;

Dear Gentlemen:

I received Mr. DePaso's letter designating me as the Arbitrator in the above-captioned case.

Pursuant to Section 5 of the NFLPA Regulations Governing Contract Advisors, I have the responsibility for setting a hearing date in this matter as soon as possible. Please call me at your earliest convenience with suggested dates for the hearing. As soon as I hear from you, this matter will be scheduled for hearing.

I look forward to hearing from you in the immediate future. If you have any questions, please do not hesitate to call me.

Sincerely,

Roger P. Kaplan

RPK/cd

cc: Tom DePaso, NFLPA

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

November 9, 2004

Steve Weinberg, Esq.
6514 Riverview Lane
Dallas, Texas 75248

Mr. Paul McJulian
c/o Demetia McJulien
Department of Social Work
Southern University
Baton Rouge, Louisiana 70813

Re: Weinberg v. McJulien,
Case No. NFLPA 04-86;

Dear Gentlemen:

I received Mr. DePaso's letter designating me as the Arbitrator in the above-captioned case.

Pursuant to Section 5 of the NFLPA Regulations Governing Contract Advisors, I have the responsibility for setting a hearing date in this matter as soon as possible. Please call me at your earliest convenience with suggested dates for the hearing. As soon as I hear from you, this matter will be scheduled for hearing.

I look forward to hearing from you in the immediate future. If you have any questions, please do not hesitate to call me.

Sincerely,

Roger P. Kaplan

RPK/cd

cc: Tom DePaso, NFLPA

ROGER P. KAPLAN
Arbitrator

211 North Union Street
Suite 100
Alexandria, Virginia 22314

703-684-4844
Fax: 703-684-4864

November 9, 2004

Steve Weinberg, Esq.
6514 Riverview Lane
Dallas, Texas 75248

Mr. K.D. Williams
4314 West La Salle Street
Tampa, Florida 33607

Re: Weinberg v. Williams,
Case No. NFLPA 04-85;

Dear Gentlemen:

I received Mr. DePaso's letter designating me as the Arbitrator in the above-captioned case.

Pursuant to Section 5 of the NFLPA Regulations Governing Contract Advisors, I have the responsibility for setting a hearing date in this matter as soon as possible. Please call me at your earliest convenience with suggested dates for the hearing. As soon as I hear from you, this matter will be scheduled for hearing.

I look forward to hearing from you in the immediate future. If you have any questions, please do not hesitate to call me.

Sincerely,

Roger P. Kaplan

Roger P. Kaplan

RPK/cd

cc: Tom DePaso, NFLPA